

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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<b>ELCOMMERCE.COM, INC.,</b>	:	<b>CIVIL ACTION</b>
<b>Plaintiff-Counter-Defendant,</b>	:	
	:	
<b>v.</b>	:	
	:	<b>NO. 09 - 4458</b>
<b>SAP AG and SAP AMERICA, INC.,</b>	:	
	:	
<b>Defendants-Counter-Plaintiffs.</b>	:	
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**ORDER**

**AND NOW**, this 27th day of August, 2010, upon consideration of Defendants' Motion to Compel Discovery Regarding Pre-Suit Communications (Document No. 37, filed March 17, 2010), Elcommerce.com, Inc.'s Opposition to Defendants' Motion to Discovery Regarding Privileged Pre-Suit Communications (Document No. 38, filed April 9, 2010), and Defendant's Reply Memorandum of Law in Support of Defendants' Motion to Compel Discovery Regarding Pre-Suit Communications (Document No. 39, filed April 23, 2010), for the reasons set forth in the Memorandum dated August 27, 2010, **IT IS ORDERED** that Defendants' Motion to Compel Discovery Regarding Pre-Suit Communications is **GRANTED** as to the charting documents referenced in document EL00037887, and documents 85 and 98 and **DENIED** in all other respects. Plaintiff shall produce to defendants the charting documents and documents 85 and 98 within seven days of the entry of this order.

**BY THE COURT:**

/s/ Jan E. DuBois  
**JAN E. DUBOIS, J.**